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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. CR04-103-JCC  
09 Plaintiff, )  
10 v. ) SUMMARY REPORT OF U.S.  
11 LEENA DANIEL ARROYO-ORAIVEJ, ) MAGISTRATE JUDGE AS TO  
12 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on November 27, 2007. The United States was represented by AUSA J. Tate London and the  
16 defendant by Catherine Chaney. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about August 12, 2004 by the Honorable John C.  
18 Coughenour on a charge of Making, Uttering, and Possessing Counterfeit Securities, and  
19 sentenced to 53 days custody with credit for time served, three years supervised release. (Dkt. 30.)

20 The conditions of supervised release included the standard conditions plus the requirements  
21 that defendant be prohibited from possessing a firearm, submit to mandatory drug testing,  
22 participate in substance abuse treatment, abstain from alcohol, submit to search, participate in

01 mental health treatment, participate in a home confinement program with electronic monitoring  
02 for 180 days, pay restitution in the amount of \$42,000, provide access to financial information,  
03 disclose all assets and liabilities, be prohibited from incurring new credit lines or obligations  
04 without permission of probation officer, and not possess any identification documents in any but  
05 her true identity.

06 On March 27, 2007, defendant admitted violating the conditions of supervised release by  
07 failing to submit complete and truthful monthly reports, failing to provide timely notification to  
08 her probation officer of a change in residence, using cocaine, and using marijuana. (Dkt. 39.)  
09 Defendant was sentenced to 18 days with credit for time served, and eight months supervised  
10 release. She was required to participate in a home confinement program for up to 120 days.(Dkt.  
11 42.)

12 In an application dated October 26, 2007 (Dkt. 43 ), U.S. Probation Officer Michael J.  
13 Larson alleged the following violations of the conditions of supervised release:

14 1. Failing to make restitution payments for the months of May, June, July, August and  
15 September 2007, in violation of the special condition requiring payment of restitution in monthly  
16 installments of not less than 10% of her gross household income. At hearing, the government  
17 moved to amend the alleged violation by deleting the months of May, June and July.

18 2. Using cocaine, on or about August 9, and October 15, 2007, in violation of  
19 standard condition number seven.

20 3. Failing to satisfactorily participate in the home confinement program by using a  
21 controlled substance while in the program, in violation of the special condition requiring her  
22 participation in said program for a period of 120 days.

01 4. Committing the crime of driving while license suspended (DWLS), on or about  
02 October 15, 2007, in violation of the mandatory condition requiring she not commit another  
03 federal, state or local crime.

04 Defendant was advised in full as to those charges and as to her constitutional rights.

05 Defendant admitted the alleged violations, including violation number one as amended, and  
06 waived any evidentiary hearing as to whether they occurred. (Dkt. 46.)

07 I therefore recommend the Court find defendant violated her supervised release as alleged,  
08 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be  
09 set before Judge Coughenour.

10 Pending a final determination by the Court, defendant has been released on the conditions  
11 of supervision.

12 DATED this 27th day of November, 2007.

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14 Mary Alice Theiler  
United States Magistrate Judge

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16 cc: District Judge: Honorable John C. Coughenour  
AUSA: J. Tate London  
17 Defendant's attorney: Catherine Chaney  
Probation officer: Michael J. Larson  
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